

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	§	Group Art Unit: 2174
	§	
Rogers and King	§	Examiner: Ke, Peng
	§	
	§	Atty. Dkt. No.: 5150-52100
	§	
Application No. 09/742,946	§	
	§	
	§	
Filed: December 20, 2000	§	
	§	
For: System and Method for Performing	§	
Type Checking for Hardware	§	§
Device Nodes in a Graphical	§	
Program	§	
	§	
	§	

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT**  
**APPEAL BRIEF MAILED ON 9/20/2007**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

This paper is submitted in response to the "Notification of Non-Compliant Appeal Brief" mailed by the U.S. Patent Office on 9/20/2007. The Notification indicated that the *Summary of Claimed Subject Matter* provided in Applicant's Submission of 6/05/2007 was "defective in that it's not concise." Thus, Applicant submits herein a Replacement for the *Summary of Claimed Subject Matter*.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1 is directed to a method for propagating type information for hardware device nodes in a graphical program, as disclosed in the specification at: page 7, line 2 through page 8, line 6; page 32, line 5 through page 33, line 21; and Figures 6 and 10. The method operates in a computer including a display screen and a user input device. The method includes:

displaying on the display screen of the computer a first hardware device node in the graphical program in response to user input (*see, e.g., page 7, lines 4-12; and page 23, lines 18-24*), wherein the graphical program comprises a plurality of interconnected nodes or icons (*see, e.g., page 20, lines 1-5*), wherein the plurality of interconnected nodes or icons visually indicate functionality of the graphical program (*see, e.g., page 3, lines 12-16*);

associating the first hardware device node with a hardware device (*see, e.g., page 7, lines 13-21*);

displaying on the display screen a second hardware device node in the graphical program in response to user input (*see, e.g., page 7, line 22; and page 32, lines 18-19*);

connecting the first hardware device node to the second hardware device node in response to user input (*see, e.g., page 7, lines 23-30; and page 32, lines 20-28*); and

propagating information from the first hardware device node to the second hardware device node, wherein the information specifies the hardware device with which the first hardware device node is associated, wherein said propagating occurs in response to said connecting the first hardware device node to the second hardware device node (*see, e.g., page 8, lines 1-6; and page 32, line 29 through page 33, line 4*).

The graphical program is executable by the computer (*see, e.g., page 14, line 18 through*

*page 15, line 2; and page 20, lines 8-10).*

Claim 10 is directed to a method for performing type checking for a hardware device node in a graphical program, as disclosed in the specification at least at: page 8, line 22 through page 9, line 23; page 34, line 6 through page 35, line 17; and Figure 11. The method operates in a computer including a display screen. The method comprises:

displaying on the display screen of the computer a first hardware device node in the graphical program in response to user input (*see, e.g., page 8, lines 28-29; and page 10, lines 23-24*), wherein the graphical program comprises a plurality of interconnected nodes or icons (*see, e.g., page 20, lines 1-5*), wherein the plurality of interconnected nodes or icons visually indicate functionality of the graphical program (*see, e.g., page 3, lines 12-16*);

associating the first hardware device node with a first hardware device class in response to user input (*see, e.g., page 8, lines 29 through page 9, line 5*);

selecting a method or property of the first hardware device class for the first hardware device node in response to user input (*see, e.g., page 9, lines 5-6; and page 34, lines 14-19*);

changing the first hardware device node to have an association with a second hardware device class in response to user input (*see, e.g., page 9, lines 7-10; and page 34, lines 20-25*); and

performing type checking to determine whether the method or property is valid for the second hardware device class, in response to said changing the first hardware device node to have an association with the second hardware device class (*see, e.g., page 9, lines 10-23*).

The graphical program is executable by the computer (*see, e.g., page 14, line 18 through page 15, line 2; and page 20, lines 8-10*).

Claim 18 is directed to a memory medium comprising program instructions. Claim 18 is supported in the specification similarly to the method of Claim 1 described above. In

addition, see the passage starting at page 17, line 16 and continuing through page 18, line 11.

Claim 26 is directed to a memory medium comprising program instructions. Claim 26 is supported in the specification similarly to Claim 10 described above. In addition, see the passage starting at page 17, line 16 and continuing through page 18, line 11.

Claim 32 is directed to a system for propagating type information for hardware device nodes in a graphical program. Claim 32 is supported in the specification similarly to Claim 1 described above. In addition, see the passage starting at page 18, line 14 and continuing through page 19, line 23.

Claim 39 is directed to a system for performing type checking for a hardware device node in a graphical program. Claim 39 is supported in the specification similarly to Claim 10 described above. In addition, see the passage starting at page 18, line 14 and continuing through page 19, line 23.

## **REMARKS**

The above "Summary of the Claimed Subject Matter" is submitted to replace the corresponding section in the Appeal Brief filed by Applicant on 12/29/2006. The above "Summary of the Claimed Subject Matter" supercedes the more extensive Summary that Applicant submitted on 6/05/07.

The Commissioner is authorized to charge any fee that may be due to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5150-52100/JCH. This paper is submitted with a return receipt postcard.

Respectfully submitted,

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